

### **REMARKS**

In the Office Action of March 31, 2008, the Examiner withdrew the previous rejections of the claims and raised a new ground(s) of rejection of the claims remaining in the application (claims 1-11 and 25-40 were canceled in response to a restriction requirement and claims 13, 16, 18, 19, 22 – 24 were withdrawn in response to a species election).

Claims 12, 14 and 41 were rejected under 35 USC 102(b) as being anticipated by Arendt. Claims 15 and 17 were rejected under 35 USC 103(a) as being unpatentable over Arendt in view of AAPA. Claims 20-21 were rejected under 35 USC 103(a) as being unpatentable over Arendt in view of Cooresmans.

The patent to Arendt discloses a procedure for washing clothes that involves a wash cycle, 1-3 rinse cycles (col. 2, line 14), and a spin cycle. During the wash cycle, the clothes are first wetted by rotating the tub at a speed which prevents twisting of the clothes, such as between 0.3 and 0.8g (col. 3, lines 23-29). Thereafter, the speed of the tub is increased to a speed of between 0.8 and 0.95g (col. 3, lines 62-63). Other speeds are used during the rinse and spin cycles, but those cycles are not relevant to the claimed invention which is directed to the wash cycle.

Arendt thus discusses operating the washer at a first speed during the wetting phase of the wash cycle and then at a second, higher speed during the remainder of the wash cycle. Arendt does not teach or suggest to vary the speed back and forth during the wash cycle, but only to vary it once, in one direction – higher. This is distinguishable from the method of the present invention where the speed of rotation or oscillation is varied during the wash cycle, not just a single time, but repeatedly.

To further clarify this aspect of the invention, claim 12 has been amended to define a first speed and a second, different speed, and to define that the oscillation speed is changed from the first speed to the second speed, then back to the first speed, and then back to the second speed. Of course this process may occur many times during the wash cycle, and other speeds may occur in between the first and second, or the second and first speeds. Nevertheless, claim 12, as

amended, makes it clear that during the wash cycle, the oscillation speed is changed repeatedly, not just a single time.

In the specification, a "period" is defined as beginning at the onset of a stroke in a first direction and ending at the termination of the opposite direction stroke (par. 0007). It is also stated that the oscillations may vary (by speed, angle, etc.) in subsequent periods (par. 0007, 0026, 0028, 0033, 0045, 0046, 0047). In other words, the variations in speed will occur repeatedly throughout the wash cycle.

The unvarying rotational speed utilized during the wash cycle in the prior art (par. 0003) is essentially repeated in Arendt, in which during the wetting phase of the wash cycle a single rotational speed is utilized and during the remainder of the wash cycle a single rotational speed is utilized. Thus, Arendt does not anticipate the method as set forth in claim 12 in which multiple speeds are utilized alternately more than once during the wash cycle.

In view of these differences, applicants respectfully submit that claim 12 and its dependent claims, are each patentable over Arendt.

The Examiner relies on Cooresmans for the teaching of using a periodic or random oscillation in order to optimize a washing action. Cooresmans states in paragraph 0064 that an oscillating force may be used, which is defined as having a periodical pattern in amplitude and direction. There is no mention of changing a speed of rotation, or any rotation at all, since Cooresmans is not directed to a clothes washing machine, but rather to a device for testing a sample of a cleaning composition, usually in a batch smaller than 10 ml. The limited and nonanalogous teachings of Cooresmans cannot be combined with the teachings of Arendt to result in a method of washing items in a wash cycle of an automatic washer in which the oscillation speed is repeatedly changed during the wash cycle as defined in claim 12.

Therefore, applicants respectfully submit that claim 12 and each of its dependent claims are patentably distinguishable over the references relied on by the Examiner.

New claim 43 requires the step of oscillating the wash chamber during the wash cycle with a series of oscillations operating at a first rotational speed then a second rotational speed

faster than the first rotational speed, then a third rotational speed slower than the second rotational speed, then a fourth rotational speed faster than the third rotational speed.

As mentioned above, Arendt, at most, teaches to rotate at a first speed during the wash cycle, and then at a second higher speed. The first speed is not repeated after the speed is changed to the second speed. For the reasons discussed with respect to claim 12, applicants submit that new claim 43, and its dependent claims, are also patentably distinguishable over the art relied on by the Examiner.

New claim 47 requires the step of oscillating the wash chamber during the wash cycle with a series of oscillations, the oscillations comprising a series of oscillation periods in which the wash chamber oscillates at a first rotational speed in a first oscillation period and then at a plurality of rotational speeds different from the first speed in subsequent periods of oscillations.

Again, Arendt does not teach or suggest a first rotational speed and then a plurality of different rotational speeds in subsequent periods of oscillations. For the reasons discussed with respect to claim 12 and claim 43, applicants submit that new claim 47, and its dependent claims, are also patentably distinguishable over the art relied on by the Examiner.

Respectfully submitted,

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